

# Ask A Warden

by Lt. Liz Schwall

## Question:

I would like to know if it is legal to use a syrup-type attractant for mule deer hunting.

## Answer:

While the use of scent lures in California is legal, the use of "bait" is not. Section 257.5 of the California Code of Regulations/Title 14 prohibits the taking of game mammals within 400 yards of any baited area. "Bait" is defined as: "shelled, shucked, or unshucked corn, wheat or other grains, salt or other feed whatsoever capable of luring, attracting or enticing birds or mammals." If the syrup you refer to is edible or is a feed additive, don't use it.

## Question:

What is the rule now for expandable broad head arrows? I heard that the law had changed.

## Answer:

You're right, the law did change in 2003. California Code of Regulations/Title 14 section 354 now says, "For the taking of big game, hunting arrows and cross-

bow bolts with a broad head type blade which will not pass through a hole seven-eighths inch in diameter shall be used. *Mechanical/retractable broad heads shall be measured in the open position.* The change is that the blade is now measured in the open position.

## Question:

I went to my local sporting goods store to buy a back-up rifle magazine. The rifle came with a three round capacity magazine (not counting the one round in the chamber). I wanted to buy a five-round magazine. The salespeople told me they believe that there is a limit of three rounds per magazine in California. I am aware of the three shot-shell limit, but I can't find any reference to maximum rifle capacities. Is there such a thing?

## Answer:

You are correct, the "three-shot" limit (total capacity of gun) applies to the use of shotguns while hunting big game mammals, small game mammals, resident and migratory upland birds or waterfowl. A shotgun may not hold more



Lt. Liz Schwall is CalTIP program coordinator. Contact her at [lschwall@dfg.ca.gov](mailto:lschwall@dfg.ca.gov).

than six shells when taking non-game species or furbearers. There is no magazine size restriction for rifles under the provisions of either the California Fish & Game Code or the California Code of Regulations/Title 14. Laws pertaining to rifle magazine capacities generally are addressed in the California Penal Code and hunters should be aware of PC sections 12276 and 12276.1, which define assault weapons. Any semiautomatic, centerfire rifle that has a fixed magazine with the ability to accept more than ten rounds is considered an assault weapon. For a complete overview of applicable firearms laws, hunters are encouraged to go to the California Department of Justice's website at: <http://caag.state.ca.us/firearms>

## **20** Department of Fish and Game Hunting Clinics

**04**

The advanced hunting clinics focus on the "how-tos" of hunting. The series includes sessions on how to hunt turkey, upland game, waterfowl, and big game. Topics covered in each clinic include type of firearm, ammunition, importance of sighting in the firearm, gauging distance, scouting, tracking, field dressing, shoot-don't shoot scenarios, hunter ethics, landowner-hunter relationships, conservation, and safety. The goal of this series of hunting clinics is to produce ethical, conservation-minded, successful hunters through education...taking you a step beyond.

**Big Game Hunting Clinic - June 26-27**  
Wilderness Unlimited Property, Williams, CA  
Cost: \$50

**Waterfowl Hunting Clinic - September 11**  
Wilderness Unlimited Property, Williams, CA  
Cost: \$40

**Land Navigation for the California Hunter - July 17**  
Wilderness Unlimited Property, Tehachapi, CA  
Cost: \$40

**Upland Game Hunting Clinic - October 16**  
Wilderness Unlimited Property, Williams, CA  
Cost: \$40

**Survival Skills Course - August 14**  
Wilderness Unlimited Property, Tehachapi, CA  
Cost: \$40

For more information about the clinics and to download the registration form, go to [www.dfg.ca.gov/coned/huntclinics](http://www.dfg.ca.gov/coned/huntclinics) or call 916-653-7448.